

REMARKS

Claims 1-10 and 12-52 are currently pending in the present application, and according to the current office action, are in condition for allowance. Objections to the specification were made by the Examiner and are discussed in turn below. Applicant thanks the Examiner for the timely consideration and allowance of applicant's amendments.

At page 2 of the office action, the Examiner states that the sequences found at page 9, lines 2-3 or Figure 17 fail to conform to 37 CFR 1.821 (a)(1) and (a)(2) since no SEQ ID NO: is indicated. Applicant respectfully disagrees with the Examiner. As indicated in the first two sentences of 37 CFR 1.821 (a), the sequence rules of 37 CFR 1.821-1.825 do not apply to branched amino acid sequences. Figure 17 and the description thereof found at page 8, line 31-page 9, line 4, describe exemplary histidine-lysine branched polypeptide transport polymers. In the sentence beginning on page 9, line 2 and in Figure 17, substituent branches, referred to as "R", of a branched polypeptide are defined as having one of two exemplary sequences. The branched polypeptide transport polymers described at page 8, line 31-page 9, line 4 and Figure 17 conform to the branched polypeptides described at page 13, lines 21-24 wherein x is equal to 1, 2 or 3. Therefore, the present description clearly indicates that the described linear peptide sequences are covalently attached (as branches) to a main chain peptide to define a branched polypeptide, which as noted above, is exempted from compliance with 37 CFR 1.821-1.825. Applicant notes that the two sequences recited at page 9, lines 2-3 and Figure 17 correspond to SEQ ID NO: 3 and SEQ ID NO: 5, and in the event the examiner disagrees with applicant, applicant would be willing to amend page 9 to refer to these sequence identifiers. Applicant believes, however, that doing so would introduce ambiguity into the specification in comparison to the present description which indicates that the described sequences are covalently attached (as branches) to a main chain peptide to define a branched polypeptide, which as noted above, is exempted from compliance with 37 CFR 1.821-1.825.

At page 2 of the office action, the Examiner indicates that there is a typographical error at page 27, line 2 of the specification. Applicant thanks the Examiner for identifying the typographical error in the specification. Applicant has amended the section heading to more clearly summarize the subject matter of the section. See page 27, lines 3-5.

At the top of page 3 of the office action, the Examiner indicates that a new abstract needs to be submitted since a PCT printed abstract is not acceptable. Applicant notes, however, that

publication of the present application, including an abstract, has already occurred. See attached Notice of Publication of Application (sent 3/6/2003) and cover page for US 2003/0045465 A1. Accordingly, submission of a substitute abstract seems redundant since the PTO has the current abstract in a form suitable for publication in an issued US patent. That said, Applicant attaches a copy of page 40 (abstract) of international application PCT/US00/34603 to which the present application is the national stage counterpart. Applicant notes that the abstract on page 40 is identical to the abstract published with US 2003/0045465 A1.

In view of the above, the present application is believed to be in immediate condition for allowance; however, if the Examiner disagrees, the applicants respectfully request that the Examiner telephone the undersigned at (302) 888-6210.

If there are any fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge any debit or credit any overpayment to Deposit Account No. 03-2775, under Order No. 05627-00005-USA from which the undersigned is authorized to draw.

Dated: May 9, 2005

Respectfully submitted,

By Gary A. Bridge

Gary A. Bridge

Registration No.: 44,560

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicant